

**BOROUGH OF WESTWOOD
PUBLIC MEETING OF THE MAYOR & COUNCIL
APRIL 21, 2015 MINUTES
MUNICIPAL COMPLEX
101 Washington Avenue
7:30 PM Executive Closed Session/8:00 pm Public Session**

1. Opening of the Meeting:

The meeting was called to order by Mayor Birkner at 7:30 pm. Mayor Birkner then read the Open Public Meetings Law Statement: "This meeting which conforms with the Open Public Meetings law, Chapter 231, Public Laws of 1975, is a regular Borough Council meeting. Notices have been filed with our local official newspapers and posted on the municipal bulletin board."

2. Roll Call:

Mayor Birkner – Present
Councilmember Owens – Present
Councilmember Montana – Present
Councilmember Miller – Present
Councilmember Grefrath – Present
Councilmember Bicocchi - Present
Council President Arroyo – Present
Borough Attorney Huntington – Present
Interim Administrator Kezmarsky - Present
Borough Clerk Hughes – Present

Committee Assignments:

Public Properties
Health & Recreation
Fire & Ambulance
Finance, Administration & Capital Projects
Land Use
Police & Emergency Management

3. Resolution #15 - 92: Executive Closed Session

Motion to adopt Resolution #15-92: Councilmember Miller Second: Councilmember Bicocchi

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes
Councilmember Miller – Yes Councilmember Grefrath - Yes
Councilmember Bicocchi – Yes Council President Arroyo – Yes

4. Reopen the Meeting:

Motion to reopen the meeting: Councilmember Miller Second: Councilmember Bicocchi

Voice Vote: A voice vote was taken with all present voting in the affirmative. The time was 8:04 pm

5. Roll Call II:

Mayor Birkner – Present / Councilmember Owens – Present / Councilmember Montana – Present /
Councilmember Miller – Present / Councilmember Grefrath – Present / Councilmember Bicocchi -
Present / Council President Arroyo – Present / Interim Administrator Kezmarsky - Present /
Borough Attorney Huntington – Present / Borough Engineer Boswell – Present / Borough Clerk
Hughes - Present

6. Flag Salute

Councilmember Miller gave the invocation. Mayor Birkner led those present in the salute to the flag.

7. Arbor Day Proclamation

8. Mental Health Awareness Proclamation

9. Proclamation for Retiring Dispatcher Dennis Falotico

10. Certificates for Championship Basketball Team

Westwood Recreation Boys 8th Grade Travel Team received certificates in acknowledgement of winning the 2015 Bergen Travel Basketball League Army Division Championship.

11. Eagle Scout Presentation

Christian Bergen from Boy Scout Troop 350 gave a presentation on his proposed Eagle Scout project to build a gaga pit at Brookside Park. The consensus was to approve the project.

12. Bergen SWAN Presentation on Pollinator Garden

Lori Charkey of Bergen SWAN gave a presentation on constructing a pollinator garden at Girl Scout Park. Funding has been provided by a PSE&G grant. The garden will attract birds, bees and butterflies. Ms. Charkey said they would provide training to the DPW but there won't be much to do, just some pruning and watering. Mayor Birkner recommended the Girl Scouts get involved and asked Mrs. Hughes to provide contact information. The consensus was to approve the project.

13. Reports of Committees and Officials:

A) Mayor's Report

1) Teen Program

Mayor Birkner announced that the Borough has received a signed interlocal agreement from Washington Township for the Teen Program.

2) NJ Transit Fare Increase

Mayor Birkner announced that NJ Transit will hold a public hearing on its proposed fare increases on Wednesday, May 20th in Hackensack beginning at 5:30 pm.

3) Chamber of Commerce Citizens of the Year

Mayor Birkner commended the Hodges Family and Jean Martin from Pascack Valley Meals on Wheels for receiving the Pascack Valley 2015 Chamber of Commerce Citizens of the Year.

B) Engineer's Report

1) Biweekly Report

Dr. Boswell reviewed the biweekly report, a copy of which is attached.

2) Road Paving

Dr. Boswell has reviewed the scope of road paving that needs to be done under the PSEG Energy Strong project. There will be a meeting on Friday with PSEG to work out the details.

3) Emerson Road Pump Station

Council President Arroyo asked the status of the Emerson Road pump station redesign. Dr. Boswell gave a brief history of the pump station and the reasoning behind switching to a gravity system. Costs to date on the mechanical system have been at least a half a million dollars by his estimation. Mayor Birkner asked how this will affect the flow metering, since the sewage will be going to RiverVale. Dr. Boswell suggested an interlocal agreement with RiverVale based on a percentage, rather than the expense of installing a meter, which would run \$75,000.

C) Council Liaison & Committee Reports

1) Finance, Administration and Capital Projects:

a) Westwood Pride Day

Councilmember Grefrath reminded everyone that June 7 is Westwood Pride Day and the Governing Body would have a table in the park.

b) Environmental Committee Update

Councilmember Grefrath reported that at their recent meeting the Environmental Committee discussed the Bergen SWAN grant; the green purchasing policy; the farmer's market; rain gardens; and composting.

c) Finance Update

Councilmember Grefrath explained that the user-friendly budget form has been released by the State. It will be posted on the website when the budget is adopted, and in future years it will be available when the budget is introduced. Mayor Birkner noted that the Bergen County League of Municipalities is opposing the user-friendly budget for this year for a number of reasons. He said the Borough will comply but believes it will be expensive.

Councilmember Grefrath announced that the annual audit will begin tomorrow.

2) Fire and Ambulance:

a) Fire Department Update

Councilmember Miller commented on the remarkable level of years of services reached by the Fire Department members. He commended the dedication of the volunteers.

b) Internal Equity

Councilmember Miller advised that the interview process for the internal equity study would be completed tomorrow. He discussed the remaining process, and some preliminary findings that will need to be addressed.

3) Health and Recreation:

a) Shade Tree Update

Councilmember Montana announced that free seedlings are available to residents, provided through the NJDEP Tree Recovery Campaign to replace trees damaged by Superstorm Sandy. The library is hosting events to celebrate Arbor Day. Information is available on their website.

b) Recreation Update

Councilmember Montana reflected that the Egg Hunt was spectacular, with five thousand eggs distributed. He thanked Pulse Fitness for sponsoring the event, and noted that Recreation depends on sponsors to defray costs. Councilmember Montana thanked those involved for their participation.

Spring recreation registration has ended.

Councilmember Montana pointed out the capital ordinance for the improvements to the Community Center gym. Funding is from Community Center rentals to non-Westwood users.

4) Land Use: RB

a) Land Use Boards

Councilmember Bicocchi advised that the Zoning Board special meeting was cancelled since Med Express withdrew its application. The Planning Board will be meeting on Thursday to discuss COAH.

5) Police and OEM:

No report.

6) Public Properties:

No report.

D) Attorney's Report

No report.

E) Administrator's / Clerk's Report

Mayor Birkner welcomed the new Interim Administrator, Ben Kezmarsky.

14. Agenda/Public Forum:

Motion to open Agenda/Public Forum: Councilmember Miller Second: Councilmember Bicocchi
Voice Vote: A voice vote was taken with all present voting in the Affirmative.

Roger Gross, 15 Pascack Road, Woodcliff Lake, on behalf of Westwood Tax Payer Alliance - presented a proposal for the property owners on Westwood Avenue to improve the sidewalks, since there have been so many trip-and-falls in the downtown area. Mayor Birkner requested a full presentation on the plan at the May 5th Council meeting.

John Lamb, 9 Center LLC - discussed a proposal pertaining to the Center Ave parking lot abutting the former CVS property. Mr. Lamb is suggesting moving the dumpsters, removing some trees, and installing a sidewalk, which would be an improvement to the Borough property. He would like to discuss it in detail at the next meeting. Mayor Birkner directed the information be sent to the Construction Official for review and recommendation at the May 5th meeting.

Motion to close Agenda/Public Forum: Councilmember Miller Second: Councilmember Bicocchi
Voice Vote: A voice vote was taken with all present voting in the affirmative.

15. Ordinances of First & Final Reading:

Ordinance on Introduction

15-8 An Ordinance Amending Chapter 153 FEES

BE IT RESOLVED that Ordinance #15-8 entitled "An Ordinance Amending Chapter 153 FEES" is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with an May 19, 2015 hearing date in the official newspaper according to law.

Motion to pass the ordinance on First Reading: Councilmember Grefrath Second:
Councilmember Bicocchi

Roll Call: Councilmember Owens - Yes

Councilmember Montana - Yes

Councilmember Miller – Yes
Councilmember Bicocchi – Yes

Councilmember Grefrath - Yes
Council President Arroyo – Yes

15-9 An Ordinance of the Borough of Westwood, In the County of Bergen, New Jersey, Providing for the Construction of New Lighting at the Borough of Westwood Community Center and Appropriating \$30,000 (Expected to be Received from the Borough's Buildings & Facilities Rental Fund) from the Borough's Capital Fund

BE IT RESOLVED that Ordinance #15-9 entitled “An Ordinance of the Borough of Westwood, In the County of Bergen, New Jersey, Providing for the Construction of New Lighting at the Borough of Westwood Community Center and Appropriating \$30,000 (Expected to be Received from the Borough's Buildings & Facilities Rental Fund) from the Borough's Capital Fund” is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with an May 19, 2015 hearing date in the official newspaper according to law.

Motion to pass the ordinance on First Reading: Councilmember Grefrath Second: Councilmember Bicocchi

Roll Call: Councilmember Owens - Yes
Councilmember Miller – Yes
Councilmember Bicocchi – Yes

Councilmember Montana - Yes
Councilmember Grefrath - Yes
Council President Arroyo – Yes

15-10 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Amending And Supplementing Chapter 59 Of The Borough Code Of The Borough Of Westwood

BE IT RESOLVED that Ordinance #15-10 entitled “An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Amending And Supplementing Chapter 59 Of The Borough Code Of The Borough Of Westwood” is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with an May 19, 2015 hearing date in the official newspaper according to law.

Motion to pass the ordinance on First Reading: Councilmember Grefrath Second: Councilmember Bicocchi

Roll Call: Councilmember Owens - Yes
Councilmember Miller – Yes
Councilmember Bicocchi – Yes

Councilmember Montana - Yes
Councilmember Grefrath - Yes
Council President Arroyo – Yes

14-16 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For The Acquisition Of A Garbage Truck For The Borough of Westwood Department of Public Works And Appropriating \$241,500 Therefor And Providing For The Issuance Of \$229,425 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same

BE IT RESOLVED that Ordinance #14-16 entitled “An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For The Acquisition Of A Garbage Truck For The Borough of Westwood Department of Public Works And Appropriating \$241,500 Therefor And Providing For The Issuance Of \$229,425 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same” is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with an May 4, 2015 hearing date in the official newspaper according to law.

Motion to pass the ordinance on First Reading: Councilmember Owens Second: Councilmember Miller

Roll Call: Councilmember Owens - Yes

Councilmember Miller – Yes

Councilmember Bicocchi – Yes

Councilmember Montana - Abstain

Councilmember Grefrath - Yes

Council President Arroyo – Yes

14-17 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For The Acquisition Of Various Equipment For The Borough Fire Department And Other Related Expenses In And For The Borough Of Westwood And Appropriating \$113,663 Therefor, And Providing For The Issuance Of \$107,979 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same

BE IT RESOLVED that Ordinance #14-17 entitled “An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For The Acquisition Of Various Equipment For The Borough Fire Department And Other Related Expenses In And For The Borough Of Westwood And Appropriating \$113,663 Therefor, And Providing For The Issuance Of \$107,979 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same” is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with an May 4, 2015 hearing date in the official newspaper according to law.

Motion to pass the ordinance on First Reading: Councilmember Miller Second: Councilmember Owens

Roll Call: Councilmember Owens - Yes

Councilmember Miller – Yes

Councilmember Bicocchi – Yes

Councilmember Montana - Abstain

Councilmember Grefrath - Yes

Council President Arroyo – Yes

14-18 An Ordinance of the Borough of Westwood, In the County of Bergen, New Jersey, Providing for the Band Stand Improvements And Other Related Expenses in and for the Borough of Westwood and Appropriating \$16,000 Therefor, and Providing for the Issuance of \$15,200 in Bonds or Notes of the Borough of Westwood to Finance the Same

BE IT RESOLVED that Ordinance #14-18 entitled “An Ordinance of the Borough of Westwood, In the County of Bergen, New Jersey, Providing for the Band Stand Improvements And Other Related Expenses in and for the Borough of Westwood and Appropriating \$16,000 Therefor, and Providing for the Issuance of \$15,200 in Bonds or Notes of the Borough of Westwood to Finance the Same” is hereby introduced by

title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with an May 4, 2015 hearing date in the official newspaper according to law.

Motion to pass the ordinance on First Reading: Councilmember Owens Second: Councilmember Bicocchi

Roll Call: Councilmember Owens - Yes

Councilmember Montana - Abstain

Councilmember Miller – Yes

Councilmember Grefrath - Yes

Councilmember Bicocchi – Yes

Council President Arroyo – Yes

14 -23 An Ordinance of the Borough of Westwood, In the County of Bergen, New Jersey, Providing for the Replacement of the Emerson Road Pump Station and Other Related Expenses in and for the Borough of Westwood and Appropriating \$400,000 Therefor, and Providing for the Issuance of \$380,000 in Bonds or Notes of the Borough of Westwood to Finance the Same

BE IT RESOLVED that Ordinance #14-23 entitled “An Ordinance of the Borough of Westwood, In the County of Bergen, New Jersey, Providing for the Replacement of the Emerson Road Pump Station and Other Related Expenses in and for the Borough of Westwood and Appropriating \$400,000 Therefor, and Providing for the Issuance of \$380,000 in Bonds or Notes of the Borough of Westwood to Finance the Same” is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with an May 4, 2015 hearing date in the official newspaper according to law.

Motion to pass the ordinance on First Reading: Council President Arroyo Second: Councilmember Owens

Roll Call: Councilmember Owens - Yes

Councilmember Montana - Abstain

Councilmember Miller – Yes

Councilmember Grefrath - Yes

Councilmember Bicocchi – Yes

Council President Arroyo – Yes

16. Presentation of Bills, Financial Reports and Resolutions:

Councilmember Grefrath asked if there were any resolutions to add to the Consent Agenda. He stated that any Councilmembers who wished to remove any Resolution(s) to be voted upon separately could do so at this time, otherwise the Consent Agenda would be enacted in one motion.

Resolutions as Consent Agenda:

a) Resolution #15 - 93: Bill List & Statement of Cash

b) Resolution #15 - 94: Authorizing Refund of Taxes - B503 L37

c) Resolution #15 - 95: Authorizing Refund of Taxes - B902 L20

d) Resolution #15 - 96: Authorizing Redemption of Tax Sale Certificate #13-00010

e) Resolution #15 - 97: Certificate of Redemption - Tax Sale Certificate #13-00010

f) Resolution #15 - 98: 2015 Temporary Budget Amendment #3

g) Resolution #15 - 99: Awarding Contracts Exempt from Public Bidding - In Rem Foreclosure

h) Resolution #15 - 100: Authorization to Execute Agreement Between Borough of

Westwood and Bergen County for a Street Sweeper

- i) Resolution #15 - 101: Authorizing the Adoption of the Bergen County Multi-Jurisdictional Hazard Mitigation Plan**
- j) Resolution #15 - 102: Accepting Retirement of Dispatcher**
- k) Resolution #15 - 103: Authorizing Execution of a Developer's Agreement Between the Borough of Westwood & Westwood Partners LLC**
- l) Resolution #15 - 104: Authorizing Disposal of Surplus Property by Online Auction**
- m) Resolution #15 - 105: Appointment to the Historic Preservation Commission**

Motion to adopt resolutions #15-93 through #15-105: Councilmember Grefrath

Second: Councilmember Owens

Roll Call: Councilmember Owens - Yes

Councilmember Montana - Yes

Councilmember Miller – Yes

Councilmember Grefrath - Yes

Councilmember Bicocchi – Yes

Council President Arroyo – Yes

17. Adjournment:

Motion to adjourn: Councilmember Miller Second: Council President Arroyo

Voice Vote: A voice vote was taken with all present voting in the affirmative.

The time was 9:45 pm.

Attest:

(signed) Karen Hughes

Karen Hughes, RMC, Borough Clerk

Proofed by: Denise Holmes, Deputy Clerk